

From: ["Cozad, David" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=4A30A28BE6A74D3DA779BB7F7B34A876-COZAD,DAVID>](#)
To: [Brooks](#)
[Karl](#)
CC:
Date: 10/7/2013 9:34:37 AM
Subject: draft
Attachments: [October 7.docx](#)

Dave Cozad
Regional Counsel
Region 7

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October 7, 2013
Jessie Merrigan
Lathrop and Gage
2345 Grand Avenue
Suite 2200
Kansas City, MO 64108

Re: Westlake Landfill Site
Administrative Order on Consent, Docket No. VII-93-F-0005
Suspension of Field Work due to Funding Hiatus

Dear Ms. Merrigan:

By letter dated September 20, 2013, EPA requested that the Respondents to the above-referenced Administrative Order on Consent ("Order") perform certain field work at the Westlake Landfill Site as Additional Work pursuant to Paragraph 51 of the Order. Specifically, EPA has requested that Respondents conduct Ground Cone Penetrometer Testing ("GCPT"). That field work, which the Respondents have agreed to perform, is scheduled to begin on Thursday, October 10, 2013.

However, EPA is currently experiencing a funding hiatus due to lack of an appropriations act or continuing resolution. In accordance with the Agency's Contingency Plan for Shutdown, dated October 1, 2013, the Agency has determined that the GCPT field work at the Site scheduled to begin October 10 is not necessary to address an imminent threat to public health, and thus the Agency is unable to perform the necessary oversight of the field work until Agency funding to resume operations is enacted. The Agency is therefore notifying you that we are suspending performance of the GCPT until a funding mechanism is enacted that will allow the Agency to resume normal operations.

We appreciate the Respondent's willingness to conduct the GCPT work, and will contact you to reschedule a start date for the GCPT as soon as EPA returns to normal operations.

Sincerely,

Karl Brooks
Regional Administrator

cc: Sara Parker Pauley, MDNR